

United States District Court  
Eastern District of Michigan  
Southern Division

United States of America,

Case No: 23-20152

v.

Hon. Mark A. Goldsmith

Jack Eugene Carpenter III,

Defendant.

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**Order Committing the Defendant to the Custody of the Attorney  
General for Treatment and Finding Excludable Delay**

On May 10, 2024, this Court found the defendant, Jack Eugene Carpenter III, not fit to stand trial. (ECF No. 124, PageID.732).

It is now ORDERED that, pursuant to 18 U.S.C. § 4241(d), the defendant is committed to the custody of the Attorney General. The Attorney General shall hospitalize the defendant for treatment in a suitable facility for a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the proceedings to go forward (the “treatment period”).

It is further ORDERED that the United States Marshal’s Service shall transport the defendant to and from the Federal Medical Facility

designated by the Bureau of Prisons for the purpose of confinement and treatment.

It is further ORDERED that the director of the facility in which the defendant is hospitalized shall report to the Court, within thirty days after the treatment period has ended, on the defendant's condition, specifically addressing whether the defendant has recovered to such an extent that he is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense. If, in the opinion of the director or his or her designee, the defendant has not recovered, the Court will conduct a hearing to determine whether the defendant should be confined for an additional reasonable period of time until his mental condition is so improved that trial may proceed and that there is a substantial probability that within such additional period of time he will attain the capacity to permit the proceedings to go forward.

It is further ORDERED that when the director of the facility in which the defendant is hospitalized determines that the defendant has recovered to such an extent that he is able to understand the nature and consequences of the proceedings against him and to assist properly

in his defense, that the director shall promptly file a certificate to that effect with the clerk of this Court. The Court will then conduct a second hearing under 18 U.S.C. § 4247(d) to determine the competency of the defendant.

It is further ORDERED that Carpenter's time in custody of the Attorney General for purposes of his mental competency shall constitute excludable delay pursuant to 18 U.S.C. § 3161(h)(4) of the Speedy Trial Act given that he is mentally incompetent and unable to stand trial. The Court further finds that the ends of justice served by this delay outweigh the best interest of the defendant and the public in a speedy trial under 18 U.S.C. § 3161(h)(7).

SO ORDERED.

Dated: May 14, 2024  
Detroit, Michigan

s/Mark A. Goldsmith  
MARK A. GOLDSMITH  
United States District Judge